

United States District Court  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR-08-0884 MMC

Plaintiff,

v.

**ORDER DEEMING AS SUBMITTED  
DEFENDANT'S MOTION UNDER 28  
U.S.C. § 2255**

JOSEPH WILLIS, JR.,

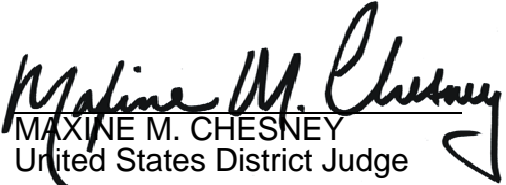
Defendant.

Before the Court is defendant Joseph Willis, Jr.'s "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody," filed December 20, 2010. The government has filed opposition. Defendant has not filed a reply.

In its order filed February 2, 2011, the Court advised the parties that, after briefing on the motion was complete, the Court would determine whether a hearing on the above-referenced motion would be necessary. Having read and considered the papers filed in support of and in opposition to the motion, the Court finds oral argument is not necessary, and, accordingly, deems the matter submitted on the parties' respective written submissions.<sup>1</sup>

**IT IS SO ORDERED.**

Dated: June 8, 2011

  
MAXINE M. CHESNEY  
United States District Judge

<sup>1</sup>In the event the Court finds an evidentiary hearing is required to resolve any material issue of fact, the Court will schedule a status conference.